

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 925**  
**90TH GENERAL ASSEMBLY**

Reported from the Committee on Agri-Business, May 4, 2000, with recommendation that the House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 925 Do Pass.

ANNE C. WALKER, Chief Clerk

4260L.09C

**AN ACT**

To amend chapter 26, RSMo, and chapter 262, RSMo, by adding thereto eight new sections relating to state advocacy groups, with an effective date for certain sections and an emergency clause for a certain section.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 262, RSMo, is amended by adding thereto seven new sections, to be known as sections 262.750, 262.753, 262.756, 262.759, 1, 2 and 3, to read as follows:

**262.750. The "Missouri Agricultural Advocate's Office" is hereby created as a type II entity, as defined in the Reorganization Act of 1974, within the Missouri department of agriculture. It shall be the purpose of the Missouri agricultural advocates office to assist Missouri's family farmers and agriculture industry throughout the state in their efforts to protect, sustain, expand and promote Missouri agriculture economy and way of life with priority given to family farms as defined in section 350.010, RSMo. Such assistance may include:**

**(1) To review and challenge, when and where appropriate, federal and state regulatory agencies' rules, regulations and policies which may have an impact on Missouri agriculture;**

**(2) To review, keep the commission and the public informed about state and federal legislation, and to act as an advocate and liaison in the state and federal legislative processes for Missouri agriculture;**

**(3) To review and challenge, when appropriate, ordinances, orders and policies of political subdivisions which may have an impact on Missouri agriculture;**

**(4) To act as a liaison and information source in coordination with the department of agriculture for Missouri agriculture among all levels of government and the general public;**

**(5) To enter and defend original actions at the federal level and act as an interpleader to protect Missouri's agricultural interests; and**

**(6) Assist in any other legitimate purpose deemed necessary by the commission or the department of agriculture, to protect, sustain, promote and expand Missouri's family farms and economy.**

**262.753.** There shall be an executive director of the Missouri agriculture advocate's office with a staff within the limits of the appropriations, to carry out the mission and purpose of the office. At least one of the staff shall be an attorney licensed to practice law in Missouri and other jurisdictions deemed necessary by the commission or the department of agriculture. The department of agriculture may use the services of the attorney when his or her duties for the office do not conflict. The executive director and staff will be employed for the purpose of providing advocacy for Missouri's family farmers for legitimate purposes deemed necessary by the commission in order to provide the assistance set forth in section 262.750.

**262.756. 1.** The Missouri agriculture advocate's advisory commission is created to be composed of the executive director of the agricultural and small business development authority, two members who are family farmers actively involved in grain or oil seed production, two members who are family farmers actively involved in livestock production one of whom owns and operates a concentrated animal feeding operation, including the livestock, of class II or larger as defined in section 640.703, RSMo, one member who is a family farmer actively involved in fiber production, one member who is a family farmer actively involved in organic or sustainable agriculture farming, one member who is a family farmer actively involved in forest production, one member representing agribusiness retailers providing services to family farmers and one member representing agriculture financial service providers providing services to family farmers, all to be appointed by the governor with the advice and consent of the senate. No more than five members shall be of the same political party.

**2.** The appointments will be for six-year terms; except that the initial appointments shall be for staggered terms.

**262.759.** The commission shall establish its own procedures and requirements with respect to quorum, place and conduct of its meetings and other matters. The commission shall meet at least four times each year and shall hold meetings when called by the chairman, or, in the absence of the chairman, by the vice chairman, or upon the request of the director of the agricultural and small business development authority, or upon the written request of three members of the commission. The members shall serve without compensation but shall be entitled to their actual expenses incurred in attending meetings and in the performance of their duties. The commission shall appoint the executive director of the Missouri agriculture advocates office, fix the conditions of his or her employment and tenure in office, in accordance with the laws of the state of Missouri, and shall be responsible for the efficient discharge of his or her duties. The executive director, with the advice and consent of the commission, shall employ the persons needed to carry out the duties of the office and shall fix their compensation within the total sum of money available from appropriations, and from all other available sources including but not limited to federal, state, local and private grants, and gifts, contributions, and dues of association group members. The commission may seek the advice of other agricultural groups deemed appropriate by the commission.

**Section 1. 1.** Sections 1 to 3 of this act shall be known and may be cited as the "Farmland Protection Act".

**2.** The purpose of the farmland protection act shall be to:

**(1)** Protect agricultural, horticultural and forestry land;

**(2) Promote the continued economic viability of agriculture, horticulture and forestry as a business;**

**(3) Promote the continued economic viability of those businesses dependent on providing materials, equipment and services to agriculture, horticulture or forestry; and**

**(4) Promote quality of life in the agriculture community.**

**Section 2. 1. The state or any political subdivision shall hold water and sewer assessments in abeyance, without interest, until improvements on such property are connected to the water or sewer system for which the assessment was made.**

**2. This section shall only apply to tracts of real property and to property owners who, in writing, permit the state or political subdivision, not including rural water districts, to traverse their property by easement and understand that the improvements located within said easement shall be deemed a taking of property without compensation. The tracts of real property shall:**

**(1) Be comprised of ten or more contiguous acres; and**

**(2) Be used as agricultural property; and**

**(3) Not be in a platted subdivision.**

**3. At the time improvements on such property are connected to either the water or sewer system, the owner shall pay to the political subdivision an amount equal to the proportionate charge for the number of system lines connected to improvements on such property.**

**4. The owner shall not be charged based on the total cost of running the main water or sewer lines to or across the owner's real property. Rather, the assessment shall be based on:**

**(1) A reasonable hookup charge; and**

**(2) A proportionate charge for the number of improvements requested to be connected to such mains in relation to the total capacity of the system; and**

**(3) The anticipated proportionate burden to the system.**

**5. The period of abeyance shall end when the owner exercises the option to connect to the improvements for which the assessment was made.**

**6. When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution, so long as said terms are not inconsistent with sections 1 to 3 of this act. To the extent that such terms are inconsistent, the provisions of sections 1 to 3 of this act shall control.**

**7. Statutes of limitations are tolled during the time that any assessment is held in abeyance without interest.**

**8. The political subdivision responsible for assessments shall notify the owner of the amount proposed to be charged and the terms of payment for each improvement requested to be connected to said assessment. The notice shall:**

**(1) Be provided in writing to the owner at the address provided by the owner as the address for receiving receipt of notice;**

**(2) Be sent by certified mail, return receipt requested within forty-five days of receipt of the request for hookup from the owner;**

**(3) State in the body of the letter as follows: "As owner of the property proposed to be assessed, you have thirty days from the date of receipt of this notice to accept, in writing, the amount of the assessment stated herein or to appeal the amount to the circuit**

court of the county where the real property is located".

9. If the owner disputes the amount of assessment when the period of abeyance ends, the owner may appeal the amount of the assessment to the circuit court of the county in which the real property is located within thirty days of the receipt of the notice.

10. Nothing in this section is intended to diminish the authority of counties to hold assessments in abeyance.

**Section 3. Property subject to the farmland protection act may not be taken in whole or in part by any political subdivision of this state by eminent domain except after a public hearing pursuant to chapter 610, RSMo.**

Section B. The provisions of section A of this act shall become effective January 1, 2001.

Section C. Chapter 26, RSMo, is amended by adding thereto one new section, to be known as section 26.700, to read as follows:

**26.700. 1. There is hereby established within the office of the lieutenant governor a "Missouri Multicultural Center and Program", which shall serve as an all-purpose all-encompassing resource for local political subdivisions and government agencies, including but not limited to counties, municipalities, judicial circuits, law enforcement agencies, school districts, public health agencies or any other political subdivisions or local government agencies, state governmental agencies, nongovernmental community agencies, businesses, advocacy groups, immigrants and refugees in this state. The center and program, as directed by the multicultural citizens' advisory committee, may develop outreach materials, in various formats, and shall serve as a communications link to direct persons to where materials are available, which describe the resources, opportunities, informational sites or other informational sources that the committee determines would be of assistance to the entities listed in this subsection. The materials and links described in this subsection shall, at minimum, be made available in electronic format, or in any other form the committee deems appropriate.**

**2. There is hereby established within the office of the lieutenant governor a "Multicultural Citizens' Advisory Committee", which shall develop and implement, or facilitate the development and implementation of, the program authorized pursuant to subsection 1 of this section. The committee shall consist of twenty-five members, to be appointed as follows:**

**(1) Five persons employed by state executive departments, one from each of the following five departments, to be designated by the director of the appropriate department: elementary and secondary education, social services, health, economic development and public safety;**

**(2) Four members of the general assembly, as follows:**

**(a) Two members of the house of representatives appointed by the speaker of the house of representatives, one from each major political party; and**

**(b) Two members of the senate appointed by the president pro tem of the senate, one from each major political party;**

**(3) Fifteen citizens of this state who work directly with the multicultural population of this state, appointed by the governor and with the advice and consent of the senate; and**

**(4) The lieutenant governor, who shall serve as an ex officio member of the committee.**

**3. The initial members of the committee shall be appointed between September 1,**

2000, and December 31, 2000. Beginning January 1, 2001, all appointees shall become members of the committee, and the lieutenant governor shall cause the committee to meet no later than sixty days after that date. Upon the first meeting constituting a quorum of the committee, the committee shall select one of its members as chair. The chair shall serve as chair for two years, and the committee may reappoint the chair for an additional term or select a new chair at the expiration of such term. The committee shall meet on a regular basis until the program described in this section has been developed, and then the committee shall meet only as needed. The members of the committee shall serve four-year terms, except that the first term of the following members shall be for two years:

(1) The members appointed by the department of economic development and the department of public safety;

(2) One member appointed by the speaker of the house of representatives and one member appointed by the president pro tem of the senate, as selected by the speaker and the president pro tem prior to the appointment of the committee member;

(3) Eight members appointed by the governor, as selected by the governor prior to the appointment of the committee member.

4. Vacancies on the committee shall be filled as soon as is practicable by the person charged with the appointment of the person who vacated the position. Members of the committee shall not be compensated for their duties as members, but shall receive reimbursement for all actual and necessary expenses incurred in the course of performing such duties, provided that the lieutenant governor shall not receive such expenses.

5. The committee shall submit to the lieutenant governor a list of three names, one of which the lieutenant governor shall employ as an executive director, who shall serve as the executive officer of the committee. As a priority, the director shall have a background and knowledge of the transition faced by individuals with multicultural backgrounds moving to Missouri. The salary and office space for the executive director, as well as the expenses for committee hearings, shall be provided by the office of the lieutenant governor.

Section D. Because immediate action is necessary to provide full, meaningful and expedited access for immigrants and refugees to the public services of this state, section C of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section C of this act shall be in full force and effect upon its passage and approval.